

DOCKET NO.: 205973US99



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: : GROUP ART UNIT: 2826
KURT EISENBEISER ET AL :
SERIAL NO.: 09/584,601 : EXAMINER: WILSON
FILED: MAY 31, 2000 :
FOR: SEMICONDUCTOR DEVICE AND METHOD

RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Responsive to the Restriction Requirement dated May 31, 2001, Applicants
provisionally elect Group I, Claims 1-13.

REMARKS

The claims in this case have been restricted into two Groups, Group I, Claims 1-13, characterized as being drawn to a semiconductor device, and Group II, Claims 14-20, characterized as being drawn to a method of operation. Applicants have provisionally elected Group I, Claims 1-13, for initial prosecution. The Restriction Requirement is traversed.

A supportable Restriction Requirement must provide reasons and examples that explain why the restricted groups of claims are "materially different." In the present case the Office has alleged that "the process as claimed can be practiced with another materially different product such as a JFET or MESFET." However, there is no explanation in the Restriction Requirement as to *why* the alleged "another materially different product" is of

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